

Assembly Bill No. 1646

Passed the Assembly August 25, 2014

Chief Clerk of the Assembly

Passed the Senate August 21, 2014

Secretary of the Senate

This bill was received by the Governor this _____ day
of _____, 2014, at _____ o'clock ____M.

Private Secretary of the Governor

CHAPTER _____

An act to amend, repeal, and add Section 12810.3 of, and to add Section 1666.7 to, the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

AB 1646, Frazier. Vehicles: electronic wireless communication devices: prohibitions.

(1) Existing law requires the Department of Motor Vehicles to examine applicants for specific driver's licenses and requires the department to administer a written test of those persons seeking driver's licenses or certificates of renewal.

This bill, commencing July 1, 2015, would require the department to include at least one question in each test of an applicant's knowledge and understanding of the provisions of the Vehicle Code to verify that the applicant has read and understands the distractions and dangers associated with handheld cellular phone use and text messaging while operating a motor vehicle.

(2) Existing law establishes that specified convictions and violations under the Vehicle Code and traffic-related incidents count as points against a driver's record for purposes of suspension or revocation of the privilege to drive.

Under existing law, it is an infraction for a person to drive a motor vehicle while using a wireless telephone, or an electronic wireless communications device to write, send, or read a text-based communication, unless the telephone or electronic wireless communications device is designed and configured to allow voice-operated and hands-free operation, and is used in that manner while driving, except as otherwise provided. A person under 18 years of age is prohibited from driving a motor vehicle while using a wireless telephone or an electronic wireless communications device, even if equipped with a hands-free device. A violation point is not given for a violation of these provisions.

This bill, commencing July 1, 2015, would assess a violation point for a conviction of these violations.

The people of the State of California do enact as follows:

SECTION 1. Section 1666.7 is added to the Vehicle Code, to read:

1666.7. (a) The department shall include in each noncommercial driver's license examination at least one question in each test of an applicant's knowledge and understanding of the provisions of this code, as administered pursuant to Section 12803 or 12814, to verify that the applicant has read and understands the distractions and dangers associated with handheld cellular phone use and text messaging while operating a motor vehicle.

(b) This section shall become operative on July 1, 2015.

SEC. 2. Section 12810.3 of the Vehicle Code is amended to read:

12810.3. (a) Notwithstanding subdivision (f) of Section 12810, a violation point shall not be given for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124.

(b) This section shall become inoperative on July 1, 2015, and, as of January 1, 2016, is repealed, unless a later enacted statute, that becomes operative on or before January 1, 2016, deletes or extends the dates on which it becomes inoperative and is repealed.

SEC. 3. Section 12810.3 is added to the Vehicle Code, to read:

12810.3. (a) Pursuant to subdivision (f) of Section 12810, a violation point shall be given for a conviction of a violation of subdivision (a) of Section 23123, subdivision (a) of Section 23123.5, or subdivision (b) of Section 23124.

(b) This section shall become operative on July 1, 2015.

Approved _____, 2014

Governor